

THE ALTMAN LAW FIRM
SIX WALKER WAY
ALBANY, NEW YORK 12205-4946
Telephone: (518) 690-2828
Fax: (518) 690-2809

January 27, 2021

Sent by e-file

Honorable David N. Hurd, U.S. District Judge
U.S. District Court – NDNY
Alexander Pirnie Federal Building
10 Broad Street, Room 300
Utica, New York 13501

Re: **KeyBank National Association v. Monolith Solar Associates LLC, et al. (Hickok)**
Case No.: 1:19-cv-01562-DNH-ATB

Dear Judge Hurd,

Pursuant to your request by Verbal Order of this date for a status report, the following is submitted.

By Verbal Order of this Court dated December 1, 2020 Mr. Hickok was directed to file a motion on or before December 22, 2020 addressing the contempt citation and penalties and granting Mr. Heller, the attorney for the Receiver, until 01/08/2021 to reply.

By Notice of Motion dated 12/21/2020 together with supporting affidavits and a proposed Order, Defendant, Mr. Gary Hickok did so, seeking relief to be purged of the contempt citation and to vacate or mitigate the compensatory award previously imposed. Opposition papers were received from Mr. Heller on 01/07/2021.

We have not received a formal Decision/Order. However, Mr. Hickok continues in full compliance with all of the requirements of the Receiver. The Monolith equipment remains on the property of and powered by Mr. Hickok for which he is not receiving any compensation. As set forth in the motion papers he has paid the counsel fee award as ordered in the amount of \$ 5,320.98.

In response to the Court's request for a "status report concerning his intention and ability to pay the \$15,711.00 in compensatory damages", his payment would be somewhat of a hardship, but Mr. Hickok will abide by the Order of the Court.

Thank you.

Respectfully yours,



Frederick M. Altman, Esq.